

Exhibit A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ERIN MCKENNA,

Plaintiff,

v.

SANTANDER INVESTMENT SECURITIES,
INC., SANTANDER HOLDINGS, USA, INC.
and OMAR KARIUKI, in his individual and
professional capacities,

Defendants.
-----X

Civil Action No.: 21-cv-00941 (DLC)

RULE 68 OFFER OF JUDGMENT

Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants Santander Investment Securities, Inc. (“SIS”), Santander Holdings, USA, Inc. (“SHUSA”) (together, “Santander”) hereby offer to allow entry of judgment in favor of Plaintiff, Erin McKenna’s (“McKenna”), remaining claims against *all* defendants—that is, Santander *and* Omar Kariuki (“Kariuki”)—in the sum of \$900,000.00, which sum shall include McKenna’s costs and fees, including, but not limited to, attorneys’ fees, interest, and any other sum potentially recoverable by McKenna in this action. Santander will deduct applicable taxes and withholdings to the amount of \$900,000. The Offer of Judgment is made solely by Santander, and not Kariuki, but includes all of McKenna’s remaining claims against all Defendants, including Kariuki.

To accept this offer, McKenna must serve a written notice of acceptance thereof within fourteen (14) days of the date this offer is made. If written acceptance is not given within fourteen (14) days of the date of service dated below, the Offer of Judgment is withdrawn. Further, if McKenna fails to obtain judgment, or fails to obtain a more favorable judgment than offered, she may be obligated to pay, in accordance with applicable law, all costs incurred after the filing of this offer by Santander in the defense of this action.

This Offer of Judgment shall not be filed with the Court unless Plaintiff accepts this Offer.

This Offer of Judgment is not and should not be construed as an admission of any liability by Defendants or that McKenna has suffered any damages. Defendants dispute Plaintiffs claims and deny all wrongdoing in this legal action. The sole purpose of this Offer of Judgment is to save attorney time, fees and costs. In the event this Offer of Judgment is not accepted, Defendants intend to vigorously defend this action at the trial of this case.

Dated: New York, New York
October 10, 2022

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

By: /s/ Mitchell Boyarsky
Mitchell Boyarsky
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Counsel for Defendants